

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

BROADCAST MUSIC, INC., ET AL.,

Plaintiffs,

v.

CAMELI'S, INC. d/b/a CAMELI'S
GOURMET PIZZA JOINT, GEORGE
CAMELI, and JOE CAMELI,

Defendants.

Civil Action File No.
1:14-cv-03844-AT

ANSWER

Defendants Cameli's, Inc. d/b/a Cameli's Gourmet Pizza Joint, George Cameli, individually, and Joe Cameli, individually (collectively, "Defendants"), by and through their undersigned counsel, responds to the Complaint of Plaintiffs as follows:

JURISDICTION AND VENUE

1. Defendants admit that this civil action purports to be brought under federal copyright laws. Defendants further admit that this Court has subject matter jurisdiction.
2. Defendants admit that venue is proper in this District.

PARTIES

3. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3, and therefore such allegations are denied.

4. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4, and therefore such allegations are denied.

5. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5, and therefore such allegations are denied.

6. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 6, and therefore such allegations are denied.

7. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 7, and therefore such allegations are denied.

8. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 8, and therefore such allegations are denied.

9. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 9, and therefore such allegations are denied.

10. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10, and therefore such allegations are denied.

11. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 11, and therefore such allegations are denied.

12. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 12, and therefore such allegations are denied.

13. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 13, and therefore such allegations are denied.

14. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 14, and therefore such allegations are denied.

15. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 15, and therefore such allegations are denied.

16. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 16, and therefore such allegations are denied.

17. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 17, and therefore such allegations are denied.

18. Defendants admit the allegations in Paragraph 18.

19. Defendants admit that, on occasion, musical compositions have been performed at the “Establishment” (defined as the establishment known as Cameli’s Gourmet Pizza Joint located at 699 Ponce de Leon Avenue NE, Suite 12, Atlanta, GA 30308). Defendants otherwise deny the allegations in Paragraph 19.

20. Defendants admit that Cameli’s, Inc. owns the Establishment and derives revenue from the Establishment. Defendants otherwise deny the allegations in Paragraph 20.

21. Defendants admit the allegations in Paragraph 21.

22. The allegations in Paragraph 22 are legal conclusions, which are denied.

23. Defendants deny the allegations in Paragraph 23.

24. The allegations in Paragraph 24 are legal conclusions, which are denied.

25. There are no allegations in Paragraph 25.

CLAIMS

26. Defendants incorporate by reference, as if fully set forth herein, their above responses.

27. Defendants deny that they have committed copyright infringement and, in any event, that any such infringement was willful. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 27, and therefore such allegations are denied.

28. Defendants deny that they have committed copyright infringement. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 28, and therefore such allegations are denied.

29. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 29, and therefore such allegations are denied.

30. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 30, and therefore such allegations are denied.

31. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 31, and therefore such allegations are denied.

32. Defendants deny the allegations in Paragraph 32.

33. Defendants deny the allegations in Paragraph 33.

PRAYER FOR RELIEF

Defendants deny any remaining allegations not specifically admitted are denied. Defendants further deny that Plaintiffs are entitled to the relief requested in the Complaint or any other relief.

AFFIRMATIVE DEFENSES

FIRST DEFENSE (Failure to State a Claim)

The Complaint fails to state a claim upon which relief can be granted.

**SECOND DEFENSE
(Lack of Standing)**

One or more Plaintiffs lacks standing to bring this action because it does not own the copyright alleged to have been infringed.

**THIRD DEFENSE
(License)**

Plaintiffs' claims are barred because Defendants had a valid license at the time of the alleged infringements.

**FOURTH DEFENSE
(Lack of Valid Copyright Registration)**

One or more Plaintiffs lack a valid copyright registration, which is a prerequisite for filing a copyright infringement claim under 17 U.S.C. § 411.

ADDITIONAL DEFENSES

Defendants reserve the right to assert additional affirmative defenses as may be disclosed during the course of additional investigation and discovery.

JURY DEMAND

Defendants demand a jury trial, pursuant to Fed. R. Civ. P. 38(b), for all issues triable of right by a jury.

Dated: March 6, 2015

Respectfully submitted,

/s/ Lisa Moore

Lisa F. Moore

Georgia Bar No. 419633

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Attorney for Defendants

CERTIFICATE OF SERVICE

This is to certify that, on March 6, 2015, I electronically filed the ANSWER with the Clerk of Court using the CM/ECF system, which will automatically send email documentation of such filing to the following attorneys of record:

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DATED: March 6, 2015

/s/ Lisa Moore
Lisa F. Moore
Georgia Bar No. 419633